

**TOWN BOARD MEETING
WEDNESDAY, OCTOBER 6, 2010; 7:00 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK**

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Town Attorney Blythe, Police Chief Biasotti, Highway Superintendent Fayó

SALUTE TO FLAG

Supervisor Green extended everyone's condolences to Councilwoman Mullarkey who just lost her husband, Jack and said that Jack Mullarkey was a good friend and would be sorely missed. He then called to order the Town Board meeting and presided over same.

#1 On Agenda: Minutes

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing regarding 2011 Sewer Assessment Roll and minutes for the Town Board meeting, both held on September 1, 2010, as per the copies posted on the Town Clerk's bulletin board in the Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

#2 On Agenda: Motion -Authorize Advertising For Bids - Route 9W/Moodna Creek Water Main Replacement Project

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for sealed bids for the Route 9W/Moodna Creek Watermain Replacement Project. Bids shall be received and publicly opened on the 15th day of October 2010 at 2:00 P.M. (local time); at the office of the Town of New Windsor Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#3 On Agenda: Motion - Authorize Supervisor To Execute Inter-Municipal Water Agreement - City Of Newburgh

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Inter-municipal Water Agreement between Town of New Windsor and City of Newburgh as recommended by the Town Attorney.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

GENERAL

4 On Agenda: Motion - Award Bids - Sewer Pump Station 12

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, the Town Clerk of the Town of New Windsor advertised for bids for renovation of Sewer Pump Station 12 in Town of New Windsor; and

WHEREAS, all base bids were received and opened by the Town Clerk at 10:00 a.m. on August 26, 2010; and

WHEREAS, the Engineer for the Town of New Windsor has reviewed all bids and made recommendations for awards of same.

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NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Windsor hereby awards the contracts for the renovation of the Town of New Windsor Sewer Pump Station 12 in accordance with the attached recommendations of the Engineer for the Town.

Roll Call: All Ayes

Motion Carried: 5-0

5 On Agenda: Motion - Authorize Execution Of Utility Easement And License Agreements - Sewer Pump Station 12

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute Utility Easement and License Agreements between the Town of New Windsor and MCB Partnership, Central Hudson Gas & Electric Corporation, and V.G.R. Associates, LLC, for purposes of constructing, using and maintaining water and sewer utilities across properties in the Town of New Windsor known as: 114 Temple Hill Road (SBL: 69-2-12.1); 1023 Route 94 (SBL: 69-4-19.2) and 115 Temple Hill Road (SBL: 69-1-6) respectively.

Roll Call: All Ayes

Motion Carried: 5-0

6 On Agenda: Motion - Authorize Advertising For Public Hearing - Proposed 2011 Budget

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for a Public Hearing to be held on the 3rd day of November 2010 at 7:00 P.M. in the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, to hear all persons of the Town of New Windsor interested in the proposed 2011 Budget.

Roll Call: All Ayes

Motion Carried: 5-0

7 On Agenda: Motion - Authorize Resolution Regarding Halloween Curfew

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the following resolution regarding a Halloween Curfew:

WHEREAS, past history has shown that Halloween celebration has gone beyond that of ordinary merriment and acceptable pranks, and Town Police Officers have received complaints of violence and vandalism and,

WHEREAS, Town Police Officers have been informed of threats of such acts through this period and have been informed of the concerns of citizens residing in areas historically prone to such acts and,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Windsor place into effect a curfew beginning 6:00 P.M. Saturday, October 30, 2010 and ending 6:00 A.M. Monday, November 1, 2010, and

BE IT ORDERED, that such curfew shall apply to all minors (persons under the age of 18), except those traveling to or from bona fide employment, school activity or medical emergency; those in the company of a parent, guardian or person in locus parentis; and

BE IT ORDERED, that the following acts are prohibited:

1. That between the hours of 9:00 P.M. and 6:00 A.M. the following morning all such minors shall refrain from congregating on public streets, public or private property without the permission of the owner or person in control of such property
2. From trespassing upon property of the Town of New Windsor between the hours of 6:00 P.M. and 6:00 A.M. the following morning unless participating in an organized event of the Town of New Windsor
3. Being in possession on any street or public place of shaving cream, eggs, soap, rocks, spray paint, flammable or noxious chemicals, weapons of any kind, or other item that could reasonable be used to cause vandalism or bodily injury, at any time during the curfew period, and

BE IT ORDERED, that any person knowingly violating these orders may be arrested and treated pursuant to the applicable status of the Laws of the State of New York.

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Nothing herein shall be construed as to prohibit the normal and lawful travel of any person upon the streets and highways within the Town of New Windsor.
Roll Call: All Ayes *Motion Carried: 5-0*

8 On Agenda: Motion - Authorize Display Ad - Snow Removal Law

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Town Clerk to publish a display ad in The Sentinel with reference to both roadway and sidewalk snow removal laws and requesting that residents clear fire hydrants on their property for the fire departments.
Roll Call: All Ayes *Motion Carried: 5-0*

9 On Agenda: Motion - Authorize Transfer Of Funds From Parkland To General Fund

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the transfer of \$150,000.00 from Parkland Funds to the General Fund.
Roll Call: All Ayes *Motion Carried: 5-0*

#10 On Agenda: Motion - Confirm Approval Of Site Location And Cluster Concept - Apple Ridge

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor having reviewed the amended application of Apple Ridge to increase the proposed cluster lot count from 102 units to 138 units, confirms its approval of both the site location and cluster concept submitted by Apple Ridge (PB #08-16), and refer same to the Town of New Windsor Planning Board for coordinated State Environmental Quality Review (SEQR) with Orange County Department of Planning, Site Plan approval, and appropriate referral back to Town Board pursuant to Section 300-16(a-j).
Roll Call: All Ayes *Motion Carried: 5-0*

#11 On Agenda: Motion - Authorize Execution Of Agreement For Credit Card Payment Processing Software

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement between the Town of New Windsor and Collectorsolutions, Inc., for credit card payment processing software.
Roll Call: All Ayes *Motion Carried: 5-0*

#12 On Agenda: Receive And File Irrevocable Offer Of Dedication - Sewer Main Easement

Hearing no objection, the Town Board of the Town of New Windsor receive and file Irrevocable Offer of Dedication for a sewer main easement from the Board of Managers of Continental Manor II Condominium to Town of New Windsor, dated June 28, 2010 and recorded in the Orange County Clerk's office on the 3rd day of August, 2010 as file #20100074218 (Patriot Bluff Project - PB #01-65).

#13 On Agenda: Motion - Approve Site Location And Cluster Concept - Meadowbrook Estates

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the site location and cluster concept submitted by Meadowbrook (PB #01-42), and refer same to the Town of New Windsor Planning Board for coordinated State Environmental Quality Review (SEQR) with Orange County Department of Planning, Site Plan approval, and appropriate referral back to Town Board pursuant to Section 300-16(a-j).
Roll Call: All Ayes *Motion Carried: 5-0*

#14 On Agenda: Receive And File Independent Accountant's Report - Justice Court

Hearing no objections, the Town Board of the Town of New Windsor receive and file independent accountant's report on applying agreed-upon procedures dated September 7, 2010, received from Nugent & Haeussler, P.C., evaluating the financial and accounting practices and procedures of the Town of New Windsor Justice Court as of December 31, 2009.

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**#15 On Agenda: Receive And File Fully Executed Agreement -
KVS Information Systems Software**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed agreement with KVS Information Systems, Inc., 821 Maple Road, Williamsville, New York, for Oracle Standard System Software for the Comptroller's office.

**#16 On Agenda: Receive And File Executed Agreement - CSEA Employee
Benefit Fund - Dental And Vision Plan**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed agreement with CSEA Employee Benefit Fund for the Horizon Dental Plan and the Platinum 12 Vision Plan for 2010.

#17 On Agenda: Receive and File Executed Agreements - NYSERDA

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk fully executed agreements with the New York State Energy Research and Development Authority for lighting upgrades at Town Hall, Highway Garage, Marasco Senior Center, Riley Road Water Treatment Plant and Sewer Treatment Facility.

#18 On Agenda: Officials Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of August 2010
Fire Prevention	Month of August 2010
Police Department	Month of August 2010
Tax Receiver Water Sewer Garbage Report	Month of August 2010
Building Department	Month of September 2010
Fire Prevention	Month of September 2010
Justice Richard W. Thorpe	Month of September 2010
Justice Noreen Calderin	Month of September 2010
Police Department	Month of September 2010
Recreation Department	Month of September 2010
Tax Receiver Water Sewer Garbage Report	Month of September 2010
Town Clerk	Month of September 2010

#19 On Agenda: Public Forum

Supervisor Green opened the public forum by asking if any of the Town Board members had any comments they wished to make. He then opened the meeting for public comment.

Leo Braun asked about agenda item #3, the water agreement with the City of Newburgh and said that several months ago, the Supervisor had said the water rate was going up. Supervisor Green said this agreement is for emergency water taking only from the City of Newburgh and has nothing to do with fees imposed by the City of New York.

Jean Antonelli said that she heard the Marasco Center was going to be closed and asked if it was true. Supervisor Green said that it was not being closed but that some changes were being made which he couldn't discuss until after the budget. He said he had a meeting with the Recreation Director earlier in the day.

William Steidle said that in regard to Apple Ridge and Meadowbrook Estates, the Planning Board should look into hiring a professional planner for those projects with the cost paid for by the developers. Supervisor Green said that Meadowbrook already had its approvals when they decided to go with the cluster concept which is to the Town's advantage. Supervisor Green said he has already spoken to Jerry Argenio about hiring a planner for some other projects but it was up to the Planning Board to decide to hire someone. He said he would relay the suggestion to Jerry.

Barney Bedetti asked when the budget would be available to look at and the Supervisor said that the tentative budget was available now at the Town Clerk's office.

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A resident said that in today's newspaper a 36% tax increase was mentioned and he said he was very concerned about that figure. Supervisor Green said that the budget so far is tentative and they are still working on it, but the 36% figure has been brought down already. He said that the Town has lost a lot of money in revenue and there is only so much you can do as certain services still have to be maintained. The budget is going to be very lean this year and some very difficult choices will have to be made that he is not happy about but the taxpayer has to come first.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum portion of the meeting.

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor close the Public Forum.

Roll Call: All Ayes

Motion Carried: 5-0

Supervisor Green said that we are very fortunate in our Police Department. They are one out of only four police departments in New York State to receive federal accreditation and this took over two years to accomplish. Chief Biasotti said there are over five hundred police departments in New York State and we are the fourth to be dually accredited by both New York State and federal CLEA, which is a nationwide organization. He said the award is attributable to the men and women who work in the department from the records department to the custodian. He said Lt. Faricellia has worked very hard on this and spent a lot of time on it, that without his dedication in getting volumes and volumes of paperwork done, this wouldn't have happened. Supervisor Green said there was a team here for at least four days reviewing police department procedures, talking to both officers and citizens, they had a public meeting, and they spoke to the press as part of the process. Supervisor Green congratulated them again on their award.

#20 On Agenda: Adjourn

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:32 p.m.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc